
**** Revised 12-15-03**

**TIGARD CITY COUNCIL
MEETING**
DECEMBER 16, 2003 6:30 p.m.
TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting date by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
DECEMBER 16, 2003

6:30 PM

- **STUDY SESSION**
 - > **QUARTERLY MEETING – BUDGET COMMITTEE**
 - > **PARK RESERVATION UPDATE – INITIATING AN ON-LINE PARKS RESERVATION SERVICE**
 - > **COUNCIL VACANCY OPTION REVIEW**
- **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

Added:

PROCLAMATION AND ACKNOWLEDGEMENT

- **Congratulations to the Tigard High School Tigers Boys Football Team as 2003 State Champions**

2. VISITOR'S AGENDA (Two Minutes or Less, Please)

3. **CONSENT AGENDA:** These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Meeting Minutes: November 19, 2003
- 3.2 Approve the Dedication of a Portion of Right-of-Way Along Hall Boulevard to the Oregon Department of Transportation
- 3.3 Local Contract Review Board:
 - a. Approve Changes to the Pavement Major Maintenance Program Contract with S-2 Contractors Inc.
 - b. Approve Amendment to the Hall Boulevard/Wall Street Intersection Project Contract with DeHaas & Associates and Authorize Additional Amendments
- 3.4 Approve Proposed Library Policies and Procedures

● *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

4. **CONTINUATION OF PUBLIC HEARING (LEGISLATIVE) – BULL MOUNTAIN ANNEXATION PLAN (ZONE CHANGE ANNEXATION [ZCA] 2003-00003/ZONE CHANGE ANNEXATION [ZCA] 2003-00004/ZONE CHANGE ANNEXATION [ZCA] 2003-00005/ZONE CHANGE ANNEXATION [ZCA] 2003-00006)**

ZONE CHANGE ANNEXATION (ZCA) 2003-00003, 2003-00004, 2003-00005, 2003-00005 BULL MOUNTAIN ANNEXATION PLAN

REQUEST: The City of Tigard is proposing to annex 1,378 acres of Washington County known as Bull Mountain through the annexation plan process. State law allows the City to annex territory within an urban growth boundary (UGB) pursuant to a detailed annexation plan, subject to voter approval. If the Tigard City Council approves the annexation proposal, it would set a date for the proposal to be placed on the ballot. **LOCATION:** The unincorporated area is within the UGB. It is generally bounded on the north by Barrows Road, on the east by Tigard City limits, on the south by Beef Bend Road, and on the west partially by 150th Avenue and near Roy Rogers Road. For specific boundary, see vicinity map. **ZONE:** The area includes R-4.5 (Low-Density Residential District; minimum lot size 7,500 square feet), R-7 (Medium-Density Residential District; minimum lot size 5,000 square feet), R-12 (Medium-Density Residential District; minimum lot size 3,050 square feet) and R-25 (Medium High-Density Residential District; minimum lot size 1,480 square

feet). **APPLICABLE REVIEW CRITERIA:** The approval standards for annexations are set out in Community Development Code Chapter 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapters 195.205 and 222; and Metro Code Chapter 3.09.

- a. Continue Public Hearing from December 2, 2003
- b. Staff Report – presented on December 2, 2003
- c. Public Testimony - concluded on December 2, 2003
- d. Staff Recommendation
- e. Council Discussion
- f. Close Public Hearing
- g. Council Consideration: Resolution No. 03 - _____

5. CONTINUATION OF PUBLIC HEARING ON A BALLOT MEASURE FOR THE MARCH 9, 2004 ELECTION FOR A MEASURE EXPANDING THE TIGARD CITY LIMITS BY PHASED ANNEXATION

- a. Continue Public Hearing from December 2, 2003
- b. Staff Report - presented on December 2, 2003
- c. Public Testimony - concluded on December 2, 2003
- d. Staff Recommendation
- e. Council Discussion
- f. Close Public Hearing
- g. Council Consideration: Resolution No. 03 - _____

6. PUBLIC HEARING (QUASI-JUDICIAL) – PUBLIC RIGHT-OF-WAY STREET VACATION FOR 74th AVENUE AT LANDAU STREET VACATION (VAC 2003-00001)

The Tigard City Council will consider the proposed vacation involving 3,241 square feet of public right-of-way that lies to the northwest of the SW 74th Avenue/Landau Street intersection.

The reason for the vacation request is the Tigard Transportation System Plan indicates that SW 74th Avenue is to meet SW Landau Street at a 90 degree angle. To facilitate the realignment of SW 74th Avenue, the applicant has secured a right-of-way dedication agreement with the adjacent property owners to the east.

With the successful vacation of the requested right-of-way, the subject square footage would be incorporated into the proposed parcels of the recently submitted Weigela Terrace Subdivision; however, the proposed lots of the subdivision do not need the

square footage of the vacation application to meet minimum lot size standards of the underlying R-4.5 zoning district.

The request was filed with the City on July 11, 2003 and initiated by the City Council at the request of the applicant on October 28, 2003. Any interested person may appear and be heard for or against the proposed vacation of said 74th Avenue @ Landau Street Public Right-of-Way Street Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on December 16, 2003.

- a. Open Public Hearing
- b. Declarations or Challenges
 - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
 - Have all members familiarized themselves with the application?
 - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- c. Staff Report: Community Development Department
- d. Public Testimony
 - For all those wishing to testify, please be aware that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and parties an opportunity to respond to the issue will preclude an appeal to the Land Use Board of Appeals on this issue. Testimony and evidence must be directed toward the criteria described by staff or other criteria in the plan or land use regulation which you believe apply to the decision.
 - Proponents
 - Opponents
 - Rebuttal
- e. Staff Recommendation
- f. Council Questions
- g. Close Public Hearing
- h. Council Consideration: Ordinance No. 03-_____

7. CONSIDER AN AGREEMENT GRANTING THE CITY MEMBERSHIP ON THE JOINT WATER COMMISSION
 - a. Staff Report: Public Works Staff
 - b. Council Discussion
 - c. Council Consideration: Motion to authorize the Council President to sign an agreement granting the City membership on the Joint Water Commission.

8. CONSIDER APPROVAL OF THE PROPOSED CITY OF TIGARD/TRIMET MEMORANDUM OF UNDERSTANDING
 - a. Staff Report: Community Development Staff
 - b. Council Discussion
 - c. Council consideration: Motion to approve the City of Tigard/TriMet Memorandum of Understanding and authorize the Council President to sign.

9. PUBLIC HEARING TO CONSIDER ACCEPTING THE 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT AND APPROVING THE SPENDING OF FUNDS
 - a. Open Public Hearing
 - b. Summation by Police Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Consideration by Council: Motion to accept the grant and approve the spending of funds.

10. CONSIDER A RESOLUTION APPROVING BUDGET AMENDMENT #12 TO THE FISCAL YEAR 2003-2004 BUDGET TO ACCEPT AND EXPEND LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS
 - a. Staff Report: Finance Staff
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 03 - _____

11. CONSIDER AN ORDINANCE AMENDING CHAPTER 11.08 OF THE TIGARD MUNICIPAL CODE PERTAINING TO BURGLARY AND ROBBERY ALARM SYSTEMS
 - a. Staff Report: Police Staff
 - b. Council Discussion
 - c. Council Consideration: Ordinance No. 03 - _____

12. CONSIDER AN ORDINANCE AMENDING CHAPTER 10.36 OF THE TIGARD MUNICIPAL CODE PERTAINING TO BICYCLES AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES
 - a. Staff Report: Police Staff
 - b. Council Discussion
 - c. Council Consideration: Ordinance No. 03 - _____

13. CONSIDER ACCEPTING THE DEDICATION OF APPROXIMATELY 2.93 ACRES OF PROPERTY BY FANNO POINTE, L.L.C. FOR USE AS OPEN SPACE OR GREENWAY
 - a. Staff Report: Public Works Staff
 - b. Council Discussion
 - c. Council Consideration: Motion to accept the dedication of approximately 2.93 acres of property by Fanno Pointe, L.L.C. for use as open space or greenway

14. COUNCIL LIAISON REPORTS

15. NON AGENDA ITEMS

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17. **ADJOURNMENT**

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